

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Burnham et al.

Docket No.: BUR920020109US1

Serial No.: 10/604,905

Art Unit: 2813

Filed: August 26, 2003

Examiner: Craig Thompson

Title: METHOD FOR FABRICATING A NITRIDED SILICON-OXIDE GATE DIELECTRIC

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents & Trademarks
P. O. Box 1450
Alexandria, VA 22313-1450

In response to the Restriction Requirement mailed on July 14, 2005, Applicant hereby provisionally elects Group I, claims 1-15, drawn to a coating process utilizing ionized gas treatment, classified in class 427, subclass 533. This election is made with traverse.

With regard to the Restriction Requirement, Applicants respectfully submit that the subject matter of all claims 1-30 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, Applicants respectfully submit that the search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). Applicants respectfully submit that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Should the Examiner require or request anything further from Applicant's prior to examination, the Examiner is requested to contact Applicants' undersigned representative at the Agent Direct Dial telephone number below. Otherwise, Applicants request early and favorable examination on the merits. The Director is hereby authorized to charge and/or credit Deposit Account No. 09-0456.

Respectfully submitted,
FOR: Burnham et al.

Dated: 8/1/2005

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